

**BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS
OFFICIAL MINUTES**

March 26, 2007

The Board of County Commissioners, three members and the County Clerk present, met in regular session at 9:00 AM.

CALL TO ORDER: Commissioner Lewark-Wood.

INVOCATION: Commissioner Fowler.

PLEDGE OF ALLEGIANCE: Commissioner Tucker.

AGENDA APPROVAL:

ACTION: *A motion was made by Commissioner Tucker to approve the agenda as amended. The motion was seconded by Commissioner Lewark-Wood.*

*ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes*

APPROVAL OF PAYMENT OF INVOICES:

ACTION: *A motion was made by Commissioner Lewark-Wood to approve invoices in the amount of \$400.00, \$9385.00 and \$16,219.28 as presented by the County Clerk's office. The motion was seconded by Commissioner Fowler.*

*ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes*

EXECUTIVE SESSION:

ACTION: *A motion was made by Commissioner Tucker to recess to Executive Session at 9:10 AM to return at 9:15 AM to discuss non-elected personnel with the Commission present. Motion was seconded by Commissioner Lewark-Wood.*

*ROLL CALL VOTE – Commissioner Lewark-Wood - Yes
Commissioner Tucker - Yes
Commissioner Fowler – Yes*

Returned to session at 9:15 AM with no action taken and no decisions made.

BOB PIERCE – COLLEGE DISCUSSION:

Mr. Bob Pierce met with the Board to discuss the colleges in Montgomery County. He stated “we need to get property tax down – people are leaving”. There are education problems and jail problems. He asked the Board to consider a one-cent sales tax to lower taxes with one-quarter cent to go to jail. He feels it is necessary to generate a tax base to cover insurance for buildings, vehicles and assets. He also asked the Commission to appoint a committee to get the two college boards together. No decisions were made at this time.

EVALUATION – MONTGOMERY COUNTY RURAL FIRE – EXECUTIVE SESSION:

ACTION: A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 9:27 AM to return at 9:42 AM with Wilbur Schwatken present to discuss non-elected personnel. Motion was Seconded by Commissioner Tucker.

ROLL CALL VOTE – Commissioner Lewark-Wood – Yes
Commissioner Tucker – Yes
Commissioner Fowler – Yes

Returned to session at 9:42 AM with no action taken and no decisions made.

EVALUATION – EMERGENCY PREPAREDNESS – EXECUTIVE SESSION:

ACTION: A motion was made by Commissioner Lewark-Wood to recess to Executive Session at 9:44 AM to return at 9:59 AM with Jim Miller present to discuss non-elected personnel. Motion was seconded by Commissioner Fowler.

ROLL CALL VOTE – Commissioner Lewark-Wood – Yes
Commissioner Tucker – Yes
Commissioner Fowler – Yes

Returned to session at 9:59 AM with no action taken and no decisions made.

PUBLIC WORKS:

Mr. Robert Bever, Public Works Coordinator, presented the weekly written report. The following items were discussed: Bid opening for Lease/Purchase Agreement for financing of three (3) Caterpillar Motor Graders; Sunflower Bridge inspection; Household Hazardous Waste collection days; and Executive Session requested.

Bid Opening – Financing of Motor Graders –

Commercial Bank, Independence, Kansas	Semi-Annual Payment - \$26,525.00 Interest rate - 4.875%
Commerce Bank, Independence, Kansas	Semi-Annual Payment - \$25,480.85 Interest rate - 4.388%
Community National Bank, Coffeyville, Kansas	Semi-Annual Payment - \$25,682.11 Interest rate - 4.600%
Community State Bank, Coffeyville, Kansas	Semi-Annual Payment - \$27,140.00 Interest rate - 5.450%
Condon National Bank, Coffeyville, Kansas	Semi-Annual Payment - \$27,567.50 Interest rate - 7.000%
Martin Tractor	Semi-Annual Payment - \$25,983.03 Interest rate - 4.990%

Bids were referred to Mr. Bever for his recommendation.

EXECUTIVE SESSION:

ACTION: A motion was made by Commissioner Tucker to recess to Executive Session at 10:15 AM and return at 10:30 AM with Robert Bever present to discuss non-elected personnel. Motion was seconded by Commissioner Lewark-Wood.

ROLL CALL VOTE – Commissioner Lewark-Wood – Yes
Commissioner Tucker – Yes
Commissioner Fowler – Yes

Returned to session at 10:30 AM with no action taken and no decisions made.

MONTGOMERY COUNTY SHERIFF:

Mr. Stan Veach, Sheriff, met with the Board and discussed the following items:

1. Fax Machine out-of-order and requested purchase from McCarty's at a cost of \$389.00. Request approved and will be paid from the Sheriff's budget.
2. Cell phones – Sheriff Veach advised Board he had signed a contract with US Cellular for phones for his department.
3. Jeanette Coltharp will be working as part-time nurse at jail at \$18.00 per hour.
4. Accounting program for DOC, Microsoft Access Jail System, in the amount of \$925.00 was approved and will be paid from Department of Corrections budget.
5. Raise Jail Starting Wage request to raise starting wage to \$10.00 per hour. The following action was taken:

ACTION: *A motion was made by Commissioner Fowler to increase the starting wage to \$10.00 per hour in the Department of Corrections. Motion was seconded by Commissioner Lewark-Wood.*

ROLL CALL VOTE – Commissioner Lewark-Wood – Yes

Commissioner Tucker – Yes

Commissioner Fowler – Yes

RES. NO. 07-58

Sheriff Veach was asked how many employees are working now that will be under the \$10.00. He stated there are three (3) to four (4). The Board approved the three (3) to four (4) employees to be raised to \$10.00 per hour.

Talked about the transporting of prisoners and the Sheriff said it “first should be the cities responsibility and then the county.

Requested Home Rule Resolution for Registered Sex Offender fees, Concealed Weapon fees and VIN fees in order for the balance of each to be carried over at the end of each year. Individual funds will be set up under the Home Rule Resolution. The County Clerk must send the resolution to the County Counselor for his opinion on the legality and wording of the document and it will be presented at the April 2nd meeting to the Board of County Commissioners. The resolution must be published one time in the official county paper after it is approved and signed by the Board before it is effect.

JUVENILE JUSTICE AUTHORITY – STATUS CHANGES FOR EMPLOYEE:

Mr. Mark Charest, Director, presented a status change for an employee of his department for an increase in salary due to additional duties (Melinda Henisey). The Change of Status was approved by the Board.

Recessed at 10:55 AM

Returned at 11:00 AM

TRIPLE T – TOM TIPTON – TAX PENALTIES:

Mr. Tom Tipton met with the Board on past due taxes and penalties. This discussion was also held at a previous meeting and he was advised the Board has no authority to waive the penalties. Also in attendance with Mr. Tipton at both this meeting and the previous meeting were Mr. Tim Roberts and Mr. Tim Wiles. Attending from the County offices today is Paul Kritz, County Counselor, Nancy Clubine, County Treasurer and Bob Kline, County Appraiser.

Mr. Tipton stated he has no problem paying taxes due but has a problem with back taxes that went to wrong address. He was advised again that the Kansas Statutes dictate how this is handled. He questioned how he could pay taxes when he didn't get a statement on this particular property, however he did pay taxes on other properties.

Nancy Clubine, County Treasurer had advised Mr. Tipton at the previous meeting that the Treasurer can not excuse taxes per Kansas Statute. She once again reiterated the County Treasurer must follow Kansas Statute and can not excuse taxes or penalties. It is up to the taxpayer to file a grievance with the Kansas State Board of Tax Appeals.

Mr. Tipton ended with he will pay all the taxes and penalties and “move on”.

COUNTY HEALTH – NEW HIRE, PROMOTIONS AND COPIER PURCHASE:

Ruth Bardwell, County Health Director, requested permission to obtain bids for a copier for the Health Department. Approval was given by the Board. Request to hire a secretary and promote two employees from within the department, the following action was taken:

ACTION: *A motion was made by Commissioner Tucker to approve the hiring for the position of secretary in the Montgomery County Health Department and two (2) promotions from within the department as recommended by the County Health Director. Motion was seconded by Commissioner Lewark-Wood.*

*ROLL CALL VOTE – Commissioner Lewark-Wood – Yes
Commissioner Tucker – Yes
Commissioner Fowler – Yes*

RES. NO. 07-59

GIS COMMITTEE:

Jim Miller, Emergency Preparedness Director, presented information on the GIS System. The committee has been gathering information and at this time is recommending the County enter hire Villa GIS, Branson, Missouri. Mr. Ed Fisher and Mr. Kurtis Copeland were present representing Villa GIS to answer questions and explain what the GIS System can and will do for the County. The committee has contacted references and find this company to be highly recommended. No action was taken at this time.

OTHER COUNTY BUSINESS:

1. Home Rule Resolution will be available for passage at April 2nd meeting.
2. Verbal approval was given to Human Resources/Payroll for the end of March payroll.

Recessed at 12:20 PM to Department Luncheon.

ADJOURNMENT: 1:15 PM

ACTION: *Motion by Commissioner Fowler, seconded by Commissioner Lewark-Wood.*

**BOARD OF COUNTY COMMISSIONERS
MONTGOMERY COUNTY, KANSAS**

BILLIE LEWARK-WOOD, Chairman

GENE TUCKER, Member

TONY FOWLER, Member

ATTEST:

County Clerk